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Ross University School of Medicine and
Global Education International, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ROSS UNIVERSITY SCHOOL OF
MEDICINE and GLOBAL EDUCATION
INTERNATIONAL, INC.,

Plaintiffs,

v.

BEHZAD AMINI, WWW.ROSSU.NET,
WWW.ROSSMEDICALSCHOOL.ORG,
WWW.ROSSMEDSCHOOL.COM and
WWW.JOHNDOEROSSINFRINGINGSITES1
-20.DOE

Defendants.

Civil Action No. 3:13-CV-06121-AET-TJB

**ORDER TO SHOW CAUSE
FOR CONTEMPT AND
OTHER INTERIM RELIEF**

This matter comes before the Court upon the application of plaintiffs Ross University School of Medicine (“RUSM”) and Global Education International, Inc. (collectively “Plaintiffs”) seeking to compel defendant Behzad Amini to show cause why he should not be held in contempt for violating the Court’s Order of Preliminary Injunction entered on December 9, 2013 (“Preliminary Injunction Order”), as well as its previously entered Temporary Restraining Order dated October 16, 2013 (“TRO”) and Order Providing for Continuing Injunction dated October 28, 2013 (“Continuing Injunction”), and for other related interim

relief; and the Court having considered the written submissions of Plaintiffs and good cause having been shown;

IT IS on this _____ day of December 2013,

THAT THIS COURT DETERMINES:

1. On December 15, 2013, Amini sent an email to a host of recipients, including members of the RUSM and medical education communities, government regulators and the media (the "December 15th Email").
2. This email contained disparaging content concerning RUSM Dean Joseph A. Flaherty, accusing him of engaging in criminal conduct.
3. The Preliminary Injunction, as well as the TRO and Continuing Injunction, enjoined Amini, and those acting in concert with him, from, among other things, disparaging RUSM and its administrators.
4. As of December 15, Amini was aware of the Preliminary Injunction, the TRO and Continuing Injunction.
5. The December 15th email constitutes a knowing violation of the Injunction Order, the TRO and Continuing Injunction.

AND, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Amini shall appear at the time and date specified below in paragraph 4 below and show cause why he should not be held in civil contempt for transmitting the December 15th Email and be subject to appropriate sanctions for his contumacious conduct as follows:

- a. striking with prejudice his pending motion to dismiss and motion to transfer;
- b. subjecting him to a fine of \$100.00 per day payable to the Court until he acknowledges in writing to the

Honorable Anne E. Thompson of this Court that he understands that (i) the Preliminary Injunction prohibits Amini and all those acting in concert with him from disparaging by any means RUSM and any of its affiliated entities or agents, and (ii) any future violation of the Preliminary Injunction may result in criminal contempt proceeding against him;

- c. subjecting him to a fine of \$100.00 per day payable to the Court until he forwards to all recipients of the December 15th Email a statement, in a form acceptable to Plaintiffs' counsel, that (i) he is aware of no basis for his allegations that Dr. Flaherty engaged in criminal conduct, and (ii) the December 15th Email violated the Preliminary Injunction;
- d. any future violations of the Preliminary Injunction by Amini and/or those acting in concert with him will subject Amini to a \$10,000.00 fine payable to the Court for each such violation; and
- e. awarding Plaintiffs their reasonable attorneys' fees and costs in bringing this contempt application.

2. In the interim and until further Order of this Court, it is hereby ordered

that:

- a. effective immediately, Amini is enjoined from operating, contributing to the operation or content of, or in any manner using STOPDEVRY.com as well as any other or similar webpage, Facebook page, or other internet-based means of demeaning or disparaging Plaintiffs, their businesses, or their officers, agents, students or employees;
- b. effective immediately, Website registrars, hosts, and platforms including but not limited to TUCOWS, Inc., Launchingpad.com, HostGator.com LLC, Unified Layer, Facebook, and such other registrars, hosts and platforms provided notice of this Order shall not allow Amini to create or operate or continue the operation of any webpage, Facebook page, or other internet-based means of demeaning or disparaging plaintiffs, their businesses, or their officers, agents, students or employees, as same would be a violation of the Injunction Order. Such

Website registrars, hosts, and platforms are directed and authorized to disable and render unviewable each such webpage, Facebook page, or other internet-based means of demeaning or disparaging plaintiffs, their businesses, or their officers, agents, students or employees.

3. Copies of this Order and all papers supporting Plaintiffs' application shall be served upon Amini, through ECF, within one business day of the date of this Order. Any opposing papers by Amini shall be filed and served by personal service so as to be received by Plaintiffs' counsel no later than noon _____ days prior to the contempt hearing as set forth below. Any reply papers shall be filed and served by electronic means through ECF no later than noon _____ days prior to the contempt hearing set forth below.

4. The contempt hearing shall be held at _____ on December _____ 2013, in Courtroom _____ of the above-entitled court in Trenton, New Jersey.

, U.S.D.J.

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